UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

STATE FARM MUTUAL
AUTOMOBILE INSURANCE
COMPANY,

      Plaintiff,

v.

UNIVERSAL REHAB
SERVICES, INC., et al.,

      Defendants.

_____/

Case No. 15-10993
Honorable Victoria A. Roberts

**ORDER ADOPTING REPORT AND RECOMMENDATION [Doc. 200];
GRANTING IN PART AND DENYING IN PART PLAINTIFF'S MOTION TO
DISMISS UNIVERSAL DEFENDANTS' COUNTERCLAIMS [Doc. 123];
AND EXTENDING FACT DISCOVERY FOR MATTERS
RELATED TO THE SURVIVING COUNTERCLAIMS UNTIL JUNE 30, 2017**

On March 30, 2017, Magistrate Judge Anthony P. Patti issued a Report and

Recommendation [Doc. 200] recommending that Plaintiff's Motion to Dismiss [Doc. 123]

Universal Defendants' Counterclaims [Doc. 116] be GRANTED IN PART and DENIED

IN PART, and that the Court extend fact discovery for three months for matters related

to the surviving counterclaims. Neither party filed objections within the fourteen day

period pursuant to Fed. R. Civ. P. 72(b) and 28 U.S.C. § 636(b)(1).

Accordingly, the Court **ADOPTS** the Report and Recommendation, which is well-

written, well-reasoned and well-supported by the cited authorities.

Plaintiff's Motion to Dismiss Universal Defendants' Counterclaims [Doc. 123] is

GRANTED IN PART and **DENIED IN PART**. The Court **DISMISSES** Universal

Defendants' breach of settlement/release agreements, abuse of process and tortious

interference with contractual relations counterclaims. Their counterclaims for unpaid

PIP benefits and fraudulent misrepresentation survive dismissal, with the limitations

noted by Magistrate Judge Patti. The Court extends fact discovery for matters related

to the surviving counterclaims until **June 30, 2017** – i.e., three months from the date of

Judge Patti's R&R.

   IT IS ORDERED.

         S/Victoria A. Roberts
         Victoria A. Roberts
         United States District Judge

Dated: April 19, 2017